

Aside from the form letter below, here is my personal experience. I have never been a big TV viewer, but I bought a Panasonic Replay about 5 months ago (this is a digital video recorder, similar to the more famous Tivo, an incredibly flexible upgrade to the VCR). I have since sold off all my DVD's, and I easily watch 3 times as much Television than previously; this behavior is directly attributable to the DVR. The freedom to watch a wide variety of programs WHENEVER I CHOOSE is what was missing from the television experience. If this freedom were taken away from me, I'd simply go back to never watching the television at all. Please don't send me a mindless form-letter reply, the bottom line is this: If you're going to wave the flag of "consumer choice", then please don't support legislation that eliminates said choice! I don't care about "must-see TV", and even if I did, I have a life outside the Television programmers' mindless schedules. Eliminating my ability to FULLY REELLY record the programs I choose is misguided and is quite frankly a slap in the face. Government should not be in the business of "aiding" an industry so enmeshed in the precepts of the "Free Market". Shall we cut back Cable Television programming next, as there are obviously too many choices for the 5 Major networks to compete with? The ability to record (and do whatever I please with that recording) is a convenience which the Networks should be falling all over themselves to provide. Because, if its being recorded, then its being watched, no? As television advertising changes from commercials to hyperlinked product placements within the shows themselves, the important this is that people are watching. Please vote against this bill. Thank you.

As a consumer of digital content, I have a grave concern about the proposed Broadcast Flag. I enjoy the flexibility and control that technology gives me. I can be more than a passive recipient of content; I can modify, create and participate. Technology currently gives me more choices by allowing me to record a television program and watch it later; clip a small piece of TV and splice it into a home movie; send an email clip of my child's football game to a distant relative; or record a TV program onto a DVD and play it at my friend's apartment. The broadcast flag seems designed to remove this control and flexibility that I enjoy.

Historically, the law has allowed for those not affiliated with creating content to come up with new, unanticipated ways of using it. For example, Sony invented the modern VCR -- a movie studio did not. (Sony did not own a movie studio at the time.) Diamond Multimedia invented the MP3 player -- a recording label did not. Unfortunately, the broadcast flag has the potential to put an end to that dynamic. Because the broadcast flag defines what uses are authorized and which are not, unanticipated uses of content which are not foreseeable today are by default unauthorized. If we allow the content industry to "lock in" the definition of what is and is not legitimate use, we curtail the ability for future innovation - unanticipated but legal uses that will benefit consumers.

I am a law-abiding consumer who believes that piracy should be prevented and prosecuted. However, if theoretical prevention comes at the cost of prohibiting me from making legal, personal use of my content, then the FCC should be working to protect all consumers rather than enable those who would restrict consumer rights. In the case of the broadcast flag, it seems that it will have little effect on piracy. With file-sharing networks, a TV program has only to be cracked once, and it will propagate rapidly across the Internet. So, while I may be required to purchase consumer electronic devices that cost more and allow me to do less, piracy will not be diminished.

In closing, I urge you to require the content industry to demonstrate that its proposed technologies will allow for all legal uses and will actually achieve

the stated goal of preventing piracy. If they cannot, I urge you not to mandate the broadcast flag.